

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

JASON NEELY

Plaintiff

CIVIL ACTION NO.: 1:17-CV-01441

VERSUS

JUDGE: DEE D. DRELL

ERIKA HAYES, STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY,
AND NATIONAL UNION FIRE
INSURANCE OF PITTSBURGH, PA.

Defendants

MAG. JUDGE: JOSEPH H.L. PEREZ-MONTES

ANSWER TO PETITION OF INTERVENTION

NOW INTO COURT, through undersigned counsel, come defendants, **STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY** and **ERIKA HAYES**, who, now answer the Petition of Intervention filed by **Multiband Corporation and New Hampshire Insurance Company** as follows:

1.

Defendants admit that they along with plaintiff, Jason Neely, have been named as defendants in the Petition for Intervention.

2.

The allegations contained in Paragraph 2 are denied.

3.

The allegations contained in Paragraph 3 are denied for lack of sufficient information to justify a belief therein.

4.

The allegations contained in Paragraph 4 are denied for lack of sufficient information to justify a belief therein.

5.

The allegations contained in Paragraph 5 are denied for lack of sufficient information to justify a belief therein.

6.

The allegations contained in Paragraph 6 are denied.

7.

The allegations contained in Paragraph 7 are denied.

8.

The allegations contained in Paragraph 8 are denied for lack of sufficient information to justify a belief therein. Further answering, defendants-in-intervention herein show that, in the alternative, should a judgment be rendered finding them liable for payment of any amount to intervenors arising from the subject accident, which is denied, any payment made to intervenors will reduce its liability in whole or part to plaintiff, Jason Neely, for any damages allegedly incurred by him, which is denied.

9.

The allegations contained in Paragraph 9 are denied for a lack of sufficient information to justify a belief therein.

10.

The allegations contained in Paragraph 10 are denied.

11.

The allegations contained in Paragraph 11 are denied for lack of sufficient information to justify a believe therein.

12.

Defendants herein reassert and plead in this answer all denials, defenses and credits pled by them in their answers to plaintiff, Jason Neely's, Original and Amending Petition for Damages. Specifically, it is asserted that defendant, Erika Hayes, is in no way liable for any damages alleged by intervenors herein, or alleged by plaintiff in his Original and Amending Petition for Damages.

WHEREFORE, defendants, **STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY and ERIKA HAYES**, pray that after due proceedings are had, that there be judgment in their favor, dismissing intervenors' claims at intervenors' cost, and alternatively plead the fault/negligence of plaintiff and/or other third-parties as a complete bar, or alternatively, as a reduction to any award rendered herein. Defendants further pray to assert all credits and defenses allowed under law. Defendants further pray for a trial by jury, and for full, general and equitable relief.

Respectfully Submitted,

JOHNSON, SIEBENEICHER & INGRAM
A Professional Law Corporation

By: s/Michael T. Johnson
Michael T. Johnson - 14401
P.O. Box 648
Alexandria, LA 71309
318/484-3911
Fax: 318/484-3585

**ATTORNEYS FOR DEFENDANTS, STATE FARM
MUTUAL AUTOMOBILE INSURANCE
COMPANY and ERIKA HAYES**

C E R T I F I C A T E

I hereby certify that on Friday, February 23, 2017, the foregoing
“*Answer to Petition of Intervention*” was filed electronically with the
Clerk of Court using the CM/ECF system.

Mr. Jack L. Simms, Jr.
Simms & Simms
P.O. Box 1554
Leesville, Louisiana 71446
ATTORNEY FOR PLAINTIFF,
JASON NEELY

Mr. William P. Worsley
Ms. Tara E. Clement
Gieger, Laborde & Laperouse
701 Poydras St., Ste. 4800
New Orleans, Louisiana 70139
ATTORNEYS FOR CO-DEFENDANT,
NATIONAL UNION FIRE INS. CO of
PITTSBURGH PA

Mr. Charles A. Jones, III
Attorney at Law
P.O. Box 995
DeRidder, Louisiana 70634
ATTORNEY FOR PLAINTIFF,
JASON NEELY

Ms. Christina S. Slay
Bolen, Parker, Brenner, Lee & Englesman
P.O. Box 11590
Alexandria, Louisiana 71315
ATTORNEY FOR INTERVENORS,
MULTIBAND CORPORATION
and NEW HAMPSHIRE INSURANCE
COMPANY

s/Michael T. Johnson
Michael T. Johnson